GOVERNMENT OF ANDHRAPRADESH
ABSTRACT

Public Services - Social Welfare Department - Allegation of irregular sanction of Post-Matric Scholarships to the Colleges which claimed falsely at College Attached Hostel rates in Khammam District, causing misappropriation of Government funds - Disciplinary proceedings initiated against Sri K. Sunil Raj Kumar, former Deputy Director (SW), Khammam District and presently working as the General Manager, APSCCFCL, Tadepalli, Guntur District - Charges framed - Inquiry conducted - Charges held not proved in the Inquiry - Further action dropped - Orders - Issued.

SOCIAL WELFARE (VIGILANCE) DEPARTMENT

G.O.Rt.No.339. Dated:01.10.2023
Read the following:

1. From the Commissioner of Social Welfare, A.P., Hyderabad, Lr.No.J3/7280/2011, Dt:30.08.2011 along with the Preliminary Inquiry Report of JD (Vigilance), O/o CSW, Hyderabad.
2. G.O.Rt.No.680, Social Welfare (SER.III.1) Department, Dated:04.11.2013.
3. From Sri K.Sunil Raj Kumar, the then DD (SW), Khammam District, Explanation Dt:02.12.2013.
4. From the SC Development Department, Government of Telangana Letter No. 15236/SCD.Ser.A2 /2012, Dt:08.01.2019.
5. G.O.Rt.No.464 Social Welfare (VIG) Department, Dt:04.10.2019.
6. G.O.Rt.No.465, Social Welfare (VIG) Department, Dt:04.10.2019.
7. From the Director of Social Welfare, A.P./Inquiry AuthorityLr. Rc.No.DSWPeshi/335/Enquiry/2020, dt.04.02.2020.
8. Govt.Memo.No.SW0DSWE(VIGM)/41/2019, Dt: 25.04.2021
9. From Sri K.Sunil Raj Kumar, the then DD (SW), Khammam District, Explanation dt:29.05.2021.
10. From the Assistant Registrar, APHC, Order dt:03.02.2023 in WP(AT) No.2070 of 2021 filed by Sri K.Sunil Raj Kumar, DD(SW).

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ORDER:

In the letter 1st read above, the Commissioner of Social Welfare, Andhra Pradesh, Hyderabad has forwarded the Preliminary Inquiry Report submitted by the Joint Director (Vigilance), O/o Commissioner of Social Welfare, Hyderabad on irregular drawal of Post-Matric Scholarships by certain Colleges in Khammam District in the name of College Attached Hostels,and requested to take necessary action.

2. Based on the preliminary Inquiry report, Articles of Charge were issued against Sri K. Sunil Raj Kumar, former Deputy Director (SW), Khammam District in the G.O. 2nd read above and the charged officer submitted his Written Statement of Defence against the charges framed against him in the explanation 3rd read above.

3. In the letter 4thread above, the Schedule Caste Development Department, Government of Telangana transferred the connected file (Photo copy) in r/o Sri K. Sunil Raj Kumar, the then Deputy Director (SW), Khammam District, for taking necessary action against him as the accused Officer allocated to the Residuary State of Andhra Pradesh by his nativity in the final allocation of employees in the process of bifurcation of the combined State of Andhra Pradesh.

4. The Director of Social Welfare, Andhra Pradesh was appointed as Inquiry Authority to conduct detailed enquiry into the charges framed against the Charged Officer in the G.O. 5th read above and Sri G.V. Raghuram, Joint Director (SW), O/o the Director of Social Welfare as Presenting Officer to present the case before the Inquiry Authority in the G.O.6th read above.

[P.T.O.]

5. In the letter 7th read above, the Director of Social Welfare &Inquiry Authority has submitted the Inquiry Report in r/o the Charged Officer with a finding that all the four (4) charges framed against the charged officer were held not proved.

6.The disagreement factors on the findings of the Inquiry Authority was communicated to the Charged Officer in the Govt.Memo 8th read above and directed to furnish explanation on the same. The Charged officer had submitted his explanation through the reference 9th read above.

7. In the meanwhile, the Hon'ble Andhra Pradesh High Court, in the Orders dt:03.02.2023 in WP(AT) No.2070/2021 filed by Sri K.SunilRajkumar, the then Deputy Director (SW), Khammam District, has disposed of the case with the following direction;

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8. Following the decisions cited supra and also catena of judgments of Hon'ble Supreme Court and also this Court passed in similar circumstances, *this Court inclined to allow the writ petition, while setting aside the impugned charge memo dated 04.11.2013 issued by the 1st respondent and the respondents are directed to consider the case of the petitioner for promotion to the post of Joint Director, Social Welfare in the existing vacancies without reference to the pendency of disciplinary proceedings against the petitioner, within a period of six (06) weeks from the date of receipt of a copy of this order. The petitioner is also entitled for all consequential benefits.*

8. Government, after careful examination of the matter in consultation with the advisory bodies, and in agreeing with the findings of the Inquiry Authority and further, in pursuance of the orders of Hon'ble Andhra Pradesh High Court passed in Writ Petition (AT) No.2070/2021, Dt:03.02.2023, have decided to drop further action against Sri K. Sunil Raj Kumar, former Deputy Director (SW), Khammam District and presently working as the General Manager, APSCCFCL, Tadepalli, Guntur District and accordingly, hereby drop further action against him.

9. The Director of Social Welfare, Andhra Pradesh, Tadepalli, Guntur District shall take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

G. JAYALAKSHMI
PRICIPAL SECRETARY TO GOVERNMENT (FAC)

To
The Director of Social Welfare,
A.P., Tadepalli, Guntur District
Sri K.Sunil Raj Kumar, former DD (SW), Khammam District
and presently working as the General Manager,
APSCCFCL, Tadepalli, Guntur District.
(**through** the Director of Social Welfare, A.P. Tadepalli)

Copy to:
The Secretary to Vigilance Commissioner,
APVC, Velagapudi.
The Scheduled Caste Development (Ser.) Department,
Government of Telangana, Hyderabad.
The Social Welfare (Services) Department,
A.P., Secretariat, Velagapudi.
The P.S. to Secretary to Hon'ble Chief Minister.
The P.S. to Hon'ble Minister (Social Welfare).
The P.S. to Principal Secretary to Government (SW).

// FORWARDED : : BY ORDER //

SECTION OFFICER